

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, Vice Mayor, 3rd District
Dennis Carroll, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

**TUESDAY, FEBRUARY 10, 2004
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rob Webb, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

**PRESENTATION BY TOURNAMENT OF ROSES ASSOCIATION
2004 LATHROP K. LEISHMAN TROPHY**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARING:

1. DEPARTMENT: PLANNING COMMISSION

SUBJECT: Amendments to the Zoning Regulations and Local Coastal Program related to self-storage land uses. (Resolution authorizing the Director of Planning and Building to submit amendments to the Zoning Regulations of the City of Long Beach to the California Coastal Commission as a Local Coastal Program Amendment.) (Ordinance amending the Long Beach Municipal Code by amending Section 21.15.570, Table 32-1, Table 33-2; and by adding Section 21.52.219.5; and by amending the Southeast Area Development and Improvement Plan-SEADIP [PD-1]; Redondo Avenue Planned Development District [PD-15]; Kilroy Airport Center Planned Development District [PD-18]; Pacific Railway Planned Development District [PD-22]; West Long Beach Business Parks Planned Development District [PD-26]; Long Beach Boulevard Planned Development District [PD-29]; California State University Research and Technology Center/Villages at Cabrillo Long Beach Vets Planned Development District [PA-31], all related to Zoning Regulations for self-storage.) (Citywide)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing;

Adopt resolution amending the Local Coastal Program (SEADIP) and directing the Director of Planning and Building to transmit the resolution together with all relevant supporting materials to the California Coastal Commission for their review, approval, and certification; and

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (2 - 14)

2. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages.

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between January 29, 2004 and February 5, 2004.

3. DEPARTMENTS: COMMUNITY DEVELOPMENT AND PUBLIC WORKS

SUBJECT: Extension Agreement to Lease No. 9406 with Chevron U.S.A., Inc., for a gasoline service station at 3405 N. Lakewood Boulevard at Donald Douglas Drive. (District 5)

SUGGESTED ACTION:

Authorize City Manager to execute a two-year extension agreement.

4. DEPARTMENT: LAW

SUBJECT: Stipulations with Requests for Awards.

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$50,702.50 in compliance with Appeals Board order for claim of Alicia Gealon Franz; \$54,357.50 for claim of Robert Moll; \$9,960 for claim of James Sutton; and \$16,613 for claim of Norm Turley.

REVISED

5. DEPARTMENT: LAW
SUBJECT: Robert Varga vs. the City of Long Beach.
SUGGESTED ACTION:
 Authorize City Attorney to pay sum of \$100,000 in full settlement.

6. DEPARTMENT: LAW
SUBJECT: Progressive Insurance Co. vs. the City of Long Beach.
SUGGESTED ACTION:
 Authorize City Attorney to pay sum of \$5,787.59 in full settlement.

7. DEPARTMENT: LAW
SUBJECT: First Amendment to agreement for legal services with Gibbs, Giden, Locher & Turner as special counsel in Harbor Department public works construction matters.
SUGGESTED ACTION:
 Authorize amendment to extend term through completion of pending matters, expand list of attorneys authorized to work on these matters, and increase amount of agreement to \$440,000 with maximum hourly rate to remain at \$220.

8. DEPARTMENT: LAW
SUBJECT: Gerald Russo vs. the City of Long Beach.
SUGGESTED ACTION:
 Authorize City Attorney to pay sum of \$15,000 in full settlement.

9. DEPARTMENT: LAW
SUBJECT: Long Beach Electric vs. Crandall and Sons; City of Long Beach.
SUGGESTED ACTION:
 Authorize City Attorney to pay sum of \$15,000 in full settlement.

10. DEPARTMENT: LAW
SUBJECT: City of Long Beach vs. Fong & Associates, et al.
SUGGESTED ACTION:
 Authorize City Attorney to accept sum of \$148,333 in full settlement.

11. DEPARTMENT: PARKS, RECREATION AND MARINE AND
COMMUNITY DEVELOPMENT

SUBJECT: Agreement with Long Beach Unified School District for after school staffing at Edison, Lafayette, Lee, and Starr King Elementary Schools.
(Districts 1,4,6,9)

SUGGESTED ACTION:

Authorize City Manager to execute an agreement for the Los Angeles County Office of Education funded California Work Opportunity for Kids after school program; and
Increase appropriations in the General Fund (GP) and in the Department of Parks, Recreation and Marine (PR) by \$87,674.

12. DEPARTMENT: PUBLIC WORKS

SUBJECT: Adopt Plans and Specifications No. R-6565 and award contract to All American Asphalt for the improvement of Clark Avenue between Pacific Coast Highway and Atherton Street. (Districts 3,4)

SUGGESTED ACTION:

Adopt Plans and Specifications No. R-6565; and
Authorize City Manager to award contract to All American Asphalt in an estimated amount of \$163,658; and execute the contract and all necessary documents related to the contract.

13. DEPARTMENT: PUBLIC WORKS

SUBJECT: Public Walkways Occupancy Permit for sidewalk dining at Jamba Juice located at 4923 East Second Street. (District 3)

SUGGESTED ACTION:

Authorize City Manager to execute permit.

14. ADVISORY COMMITTEE: HOMELESS SERVICES ADVISORY COMMITTEE

SUBJECT: Recommendation from the Homeless Services Advisory Committee for use of the Mayor's Fund for the Homeless.

SUGGESTED ACTION:

Approve and adopt the recommendation of the Homeless Services Advisory Committee for the allocation of the Mayor's Fund for the Homeless to Food Finders; and
Authorize City Manager to execute the Mayor's Fund agreement with Food Finders for \$30,000 for a one-year period for fiscal year 2004.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

15. OFFICE: MAYOR BEVERLY O'NEILL

SUBJECT: Appointments of Laura Brasser and Geoff McIntosh to the Cultural Heritage Commission; appointment of Elaine D. Ridder to the Homeless Services Advisory Committee; and William R. Crawford, III to the Marine Advisory Commission.

SUGGESTED ACTION:

Confirm appointments of the 2004 nominations of non-charter Commission, Committees, and Boards effective February 10, 2004.

16. COUNCIL OFFICE: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT

SUBJECT: Declaration of shelter crisis.

SUGGESTED ACTION:

Refer to Planning Commission.

17. COUNCIL OFFICE: COUNCILMEMBER ROB WEBB, EIGHTH DISTRICT

SUBJECT: Report on contracting out opportunities.

SUGGESTED ACTION:

Request City Manager to prepare progress report on implementation including paramedic billing and refuse collection.

18. COUNCIL OFFICE: COUNCILMEMBER VAL LERCH, NINTH DISTRICT

SUBJECT: Ordinance that would allow a potential write-in candidate five business days from final date of filing eligibility to submit a request to run as a write-in candidate.

SUGGESTED ACTION:

Request City Attorney to prepare ordinance.

19. DEPARTMENT: CITY MANAGER

SUBJECT: Budget Evaluation Process Update for Fiscal Year 2005. (Citywide)

SUGGESTED ACTION:

Refer report to the Budget Oversight Committee.

20. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Fiscal Year 2004 First Quarter Budget Appropriation Adjustments.

SUGGESTED ACTION:

Approve the adjustments to FY 04 departmental and fund appropriations in accordance with existing City Council policy.

21. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Fiscal Year 2004 December Budget Performance Report. (Citywide)

SUGGESTED ACTION:

Refer report to the Budget Oversight Committee.

22. DEPARTMENT: POLICE

SUBJECT: Application of Kevin James Fitzpatrick and Jimmy Kin Ng, dba Chicago Jimmy's Pizzeria, for an original on-sale beer and wine for bonafide eating place alcoholic beverage license at 2945 East Broadway. (District 2)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

23. DEPARTMENT: POLICE

SUBJECT: Application of Francesco Buono, dba Buono's Authentic Pizzeria, for an original on-sale beer and wine for bonafide eating place alcoholic beverage license at 250 West Ocean Boulevard. (District 2)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

24. DEPARTMENT: POLICE

SUBJECT: Application of Natamon Pongyingpis, dba Thai Basil, for an original on-sale beer and wine for bonafide eating place alcoholic beverage license at 5466 Del Amo Boulevard. (District 5)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

25. DEPARTMENT: POLICE

SUBJECT: Application of In Sun Shin, dba Colima Market, for an original off-sale general alcoholic beverage license at 5602 Long Beach Boulevard. (District 8)

SUGGESTED ACTION:

Determine if the application would serve public convenience and necessity and receive and file application; or

Request City Clerk to file protest with California State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember.

26. DEPARTMENT: PUBLIC WORKS

SUBJECT: Revisions to Parking Meter Zones. (Districts 1,2,3,5)

SUGGESTED ACTION:

Request City Attorney to prepare amendment to Section 10.28.130 of the Long Beach Municipal Code to modify parking meter zones 1, 17-20, and add new zones 21-33.

RESOLUTIONS:

27. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Resolution authorizing the City Manager to submit an application to the State for an allocation of funds for Olive Court Development. (District 6)

SUGGESTED ACTION:

Adopt resolution authorizing the submission of an application to the California State Department of Housing and Community Development BEGIN Program for \$1,320,000 and authorize City Manager to execute all necessary documents upon funding approval.

28. DEPARTMENT: HARBOR

SUBJECT: Resolution approving the issuance by the Board of Harbor Commissioners, on behalf of the City of Long Beach, of up to \$137,000,000 aggregate principal amount of Harbor Revenue Refunding Bonds secured by Harbor Revenues and certain other matters.

SUGGESTED ACTION:

Adopt resolution.

29. DEPARTMENT: HARBOR

SUBJECT: Resolution approving the issuance by the Alameda Corridor Transportation Authority, of up to \$750,000,000 aggregate principal amount of its Subordinate Lien Refunding Bonds partially secured by Harbor Revenues.

SUGGESTED ACTION:

Adopt resolution.

ORDINANCES:

30. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Section 10.32.110 relating to Preferential Parking District V.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

31. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Section 10.32.110 relating to Preferential Parking District D.

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

NEW BUSINESS:

32.

33.

34.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

REMINDERS:

Housing Authority at 4:30 P.M.

Thursday, February 12, 2004, I-710 Oversight Committee Workshop at Houghton Park, 6301 Myrtle Avenue, at 6:30 P.M.

February 17, 2004, Hearing on application for DDRC Pike Entertainment, LLC, dba Gameworks, for Permits for Entertainment with Dancing, Bowling Alley and Pool Hall at 10 Aquarium Way. (District 2)

NOTE: An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802. You may view the agenda or documents on the Internet at **www.longbeach.gov/cityclerk**. E-Mail correspondence can be directed to **cityclerk@longbeach.gov**. Agenda items may be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries. Communicate through the Telephone Device for the Deaf (TDD) at (562) 570-6626. If a special accommodation is desired pursuant to the Americans with Disabilities Act, or if you need the agenda provided in an alternate format, please phone Renae Tyner at (562) 570-6472 in the City Clerk Department. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.